



PATENT
ATTORNEY DOCKET NO. 01997/211003

Certificate of Mailing: Date of Deposit: January 16, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Moya Kinnealey
Printed name of person mailing correspondence

Moya Kinnealey
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	H. Robert Horvitz et al.	Art Unit:	Not yet assigned
Serial No.:	09/888,243	Examiner:	Not yet assigned
Filed:	June 22, 2001	Customer No.:	21559
Title:	RELATEDNESS OF HUMAN INTERLEUKIN-1 β CONVERTASE GENE TO A <i>C. ELEGANS</i> CELL DEATH GENE, INHIBITORY PORTIONS OF THESE GENES AND USES THEREFOR		

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REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In reply to the Notice To Comply mailed July 16, 2001, applicants submit the following:

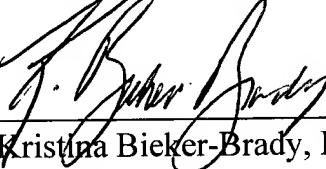
- A paper copy of the amended sequence listing and an amendment directing its entry into the specification.
- A copy of the amended sequence listing in computer readable form.
- A statement that the contents of the paper and computer readable copies are the same and contain no new matter.

Enclosed is a petition to extend the period for replying four months, to and including January 16, 2002.

If there are any charges, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: January 16, 2002


Kristina Bieker-Brady, Ph.D.
Reg. No. 39,109

Clark & Elbing LLP
176 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045

\CLARK-W2K1\documents\01997\01997.211003 Reply to Notice to Comply.wpd



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PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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 WASHINGTON, D.C. 20231
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O I P E R T A M P
JAN 23 2002

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/888,243

06/22/2001

H. Robert Horvitz

01997/211003

21559

CLARK & ELBING LLP
 176 FEDERAL STREET
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CONFIRMATION NO. 9113

FORMALITIES LETTER



OC00000006300027

Date Mailed: 07/16/2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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STATEMENT UNDER 37 C.F.R. § 1.825

As required by 37 C.F.R. § 1.825(a), enclosed is an amended sequence listing consisting of 23 sheets to be inserted at the end of the application.

SEQ ID NOS: 1-27 were amended to add organism names, and SEQ ID NOS: 18 and 19 were amended to clarify the "Xaa" amino acid designations. New SEQ ID NO: 28 contains the murine NEDD-2 protein sequence of Fernandes-Alnemri *et al.*, *J. Biol. Chem.* 269:30761, 1994. As indicated in the attached Declaration of Dr. Bieker-Brady, this publication is incorporated by reference in the present application as part of the definition of the asp-ase proteases (page 32, lines 7-10, of the specification). As the amino acid sequence of SEQ ID NO: 28 is the same as that of the sequence incorporated by reference, this amendment contains no new matter. New SEQ

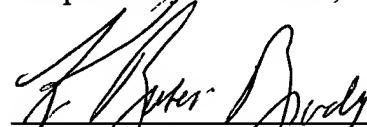
ID NOs: 29 and 30 contain the amino acid sequences of naturally-occurring *C. elegans* CED-3 and human ICE, respectively, from Fig. 6A of the present application. I hereby submit that the substitute sheets contain no new matter.

As required by 37 C.F.R. § 1.825(b), enclosed is a diskette containing a copy of the sequence listing in computer readable form including all previously submitted data with the amendments incorporated therein. The contents of the computer readable form are the same as the contents of the paper sheets.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: January 16, 2002



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\Clark-w2k1\documents\01997\01997.211003 Amended Sequence Statement.wpd



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